



Cotter Corporation
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7800 E. Dorado Pl. #210
Englewood, CO 80111
jerry.powers@cotterusa.com

m/37/084

Fax

To: Joelle Burns

From: Jerry Powers

Fax: 801-359-3400⁹⁴⁰

Pages: 3 (including this sheet)

Phone:

Date: 1/16/2002

Re: Bond Rider

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☒ Please Recycle

Joelle:

Thank you for returning my call. I am faxing the copy of the bond rider for our Papoose Mine, M/037/084. We do normally do all bond increases via a rider like this one and the bond holder then does attach it to the original bond as you suggested.

My problem arises from the fact that the current surety bond is held by the School and Institutional Trust Lands Administration, and the original bond may not be on the Division of Oil, Gas, and Mining form.

Please let me know if I can simply submit this rider with our revised reclamation plan or if I need to have our surety company issue a new bond on your form. Thanks for your assistance..

Jerry Powers

RECEIVED

JAN 16 2002

DIVISION OF
OIL, GAS AND MINING

AIU Insurance Company
American Home Assurance Company
Granite State Insurance Company
The Insurance Company of the State of Pennsylvania
National Union Fire Insurance Company of Pittsburgh, Pa.
New Hampshire Insurance Company



American International Companies
Principal Bond Office
175 Water Street, New York, NY 10038

RIDER

To be attached to and form part of Bond No. _____ dated, February 18, 2000, on behalf of **Cotter Corporation** as Principal, and **American Home Assurance Company**, as Surety, in favor of the **State of Utah**, as Obligee.

It is hereby agreed and understood that effective on **January 15, 2002**:

The amount of the bond is hereby amended as follows:

From: Fifty Four Thousand and 00/100 Dollars (\$54,000.00)

To: Ninety Four Thousand Seven Hundred and 00/100 Dollars (\$94,700)

Provided, however, that the liability of the Surety under the attached bond and under the attached bond as changed by this rider shall not be cumulative.

Nothing herein contained shall be held to vary, waive, alter or extend any of the terms, conditions, agreements or warranties of the above-mentioned bond, other than as stated above.

SIGNED, SEALED AND DATED this 16th day of January, 2002.

AMERICAN HOME ASSURANCE COMPANY
SURETY

By: _____

Vivienne Douglas, ATTORNEY-IN-FACT

No.

KNOW ALL MEN BY THESE PRESENTS:

That American Home Assurance Company, a New York corporation, and National Union Fire Insurance Company of Pittsburgh, Pa., a Pennsylvania corporation, does each hereby appoint

---Vivienne Douglas, Raymond A. Leonard, J. M. O'Connell, Kathleen Freund: of Denver, Colorado---

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. have each executed these presents

this 23rd day of February, 2000.



Lawrence W. Carlstrom

Lawrence W. Carlstrom, Senior Vice President
National Union Fire Insurance Company of Pittsburgh, PA.
Vice President, American Home Assurance Company

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss.

On this 23rd day of February, 2000 before me came the above named officer of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa., to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporations thereto by authority of his office.

Joseph B. Nozzolo
JOSEPH B. NOZZOLO
Notary Public State of N.Y.
No. 01-NO4652754
Qualified in Westchester County
Term Expires Jan. 31, 2002

CERTIFICATE

Excerpts of Resolutions adopted by the Boards of Directors of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. on May 18, 1976:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

I, Elizabeth M. Tuck, Secretary of American Home Assurance Company and of National Union Fire Insurance Company of Pittsburgh, Pa. do hereby certify that the foregoing excerpts of Resolutions adopted by the Boards of Directors of these corporations, and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolutions and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the facsimile seal of each corporation

this 15th day of January, 2002

Elizabeth M. Tuck
Elizabeth M. Tuck, Secretary

